

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Disaster Relief Act is amended by changing
5 Section 3 as follows:

6 (15 ILCS 30/3) (from Ch. 127, par. 293.3)

7 Sec. 3. Whenever funds regularly appropriated to the State
8 and local governmental bodies for disaster response and
9 recovery are insufficient to provide services, and when the
10 Governor has declared a disaster by proclamation in accordance
11 with Section 7 of the Illinois Emergency Management Agency Act
12 or any successor Act, the Governor may draw upon the Disaster
13 Response and Recovery ~~Relief~~ Fund in order to provide services
14 or to reimburse local governmental bodies furnishing services.
15 The fund may be used for the payment of emergency employees,
16 for the payment of the Illinois National Guard when called to
17 active duty, for disaster-related expenses of State Agencies
18 and Departments, and for the emergency purchase or renting of
19 equipment and commodities. The fund shall be used for
20 furnishing emergency services and relief to the disaster area
21 as a whole and shall not be used to provide private relief to
22 persons sustaining property damages or personal injury as a
23 result of a disaster.

1 (Source: P.A. 87-168.)

2 Section 10. The Illinois Emergency Management Agency Act is
3 amended by changing Sections 8 and 9 as follows:

4 (20 ILCS 3305/8) (from Ch. 127, par. 1058)

5 Sec. 8. Mobile Support Teams.

6 (a) The Governor or Director may cause to be created Mobile
7 Support Teams to aid and to reinforce the Illinois Emergency
8 Management Agency, and emergency services and disaster
9 agencies in areas stricken by disaster. Each mobile support
10 team shall have a leader, selected by the Director who will be
11 responsible, under the direction and control of the Director,
12 for the organization, administration, and training, and
13 operation of the mobile support team.

14 (b) Personnel of a mobile support team while on duty
15 pursuant to such a call or while engaged in regularly scheduled
16 training or exercises, whether within or without the State,
17 shall either:

18 (1) If they are paid employees of the State, have the
19 powers, duties, rights, privileges and immunities and
20 receive the compensation incidental to their employment.

21 (2) If they are paid employees of a political
22 subdivision or body politic of this State, and whether
23 serving within or without that political subdivision or
24 body politic, have the powers, duties, rights, privileges

1 and immunities, and receive the compensation incidental to
2 their employment.

3 (3) If they are not employees of the State, political
4 subdivision or body politic, or being such employees, are
5 not normally paid for their services, be entitled to at
6 least one dollar per year compensation from the State.

7 Personnel of a mobile support team who suffer disease,
8 injury or death arising out of or in the course of emergency
9 duty, shall for the purposes of benefits under the Workers'
10 Compensation Act or Workers' Occupational Diseases Act only, be
11 deemed to be employees of this State. If the person diseased,
12 injured or killed is an employee described in item (3) above,
13 the computation of benefits payable under either of those Acts
14 shall be based on income commensurate with comparable State
15 employees doing the same type of work or income from the
16 person's regular employment, whichever is greater.

17 All personnel of mobile support teams shall, while on duty
18 under such call, be reimbursed by this State for all actual and
19 necessary travel and subsistence expenses.

20 (c) The State shall reimburse each political subdivision or
21 body politic from the Disaster Response and Recovery Relief
22 Fund for the compensation paid and the actual and necessary
23 travel, subsistence and maintenance expenses of paid employees
24 of the political subdivision or body politic while serving,
25 outside of its geographical boundaries pursuant to such a call,
26 as members of a mobile support team, and for all payments made

1 for death, disease or injury of those paid employees arising
2 out of and incurred in the course of that duty, and for all
3 losses of or damage to supplies and equipment of the political
4 subdivision or body politic resulting from the operations.

5 (d) Whenever mobile support teams or units of another
6 state, while the Governor has the emergency powers provided for
7 under Section 7 of this Act, render aid to this State under the
8 orders of the Governor of its home state and upon the request
9 of the Governor of this State, all questions relating to
10 reimbursement by this State to the other state and its citizens
11 in regard to the assistance so rendered shall be determined by
12 the mutual aid agreements or interstate compacts described in
13 subparagraph (5) of paragraph (c) of Section 6 as are existing
14 at the time of the assistance rendered or are entered into
15 thereafter and under Section 303 (d) of the Federal Civil
16 Defense Act of 1950.

17 (e) No personnel of mobile support teams of this State may
18 be ordered by the Governor to operate in any other state unless
19 a request for the same has been made by the Governor or duly
20 authorized representative of the other state.

21 (Source: P.A. 92-73, eff. 1-1-02.)

22 (20 ILCS 3305/9) (from Ch. 127, par. 1059)

23 Sec. 9. Financing.

24 (a) It is the intent of the Legislature and declared to be
25 the policy of the State that funds to meet disasters shall

1 always be available.

2 (b) It is the legislative intent that the first recourse
3 shall be to funds regularly appropriated to State and political
4 subdivision departments and agencies. If the Governor finds
5 that the demands placed upon these funds in coping with a
6 particular disaster are unreasonably great, the Governor may
7 make funds available from the Disaster Response and Recovery
8 ~~Relief~~ Fund. If monies available from the Fund are
9 insufficient, and if the Governor finds that other sources of
10 money to cope with the disaster are not available or are
11 insufficient, the Governor shall request the General Assembly
12 to enact legislation as it may deem necessary to transfer and
13 expend monies appropriated for other purposes or borrow, for a
14 term not to exceed 2 years from the United States government or
15 other public or private source. If the General Assembly is not
16 sitting in regular session to enact such legislation for the
17 transfer, expenditure or loan of such monies, and the President
18 of the Senate and the Speaker of the House certify that the
19 Senate and House are not in session, the Governor is authorized
20 to carry out those decisions, by depositing transfers or loan
21 proceeds into and making expenditures from the Disaster
22 Response and Recovery ~~Relief~~ Fund, until such time as a quorum
23 of the General Assembly can convene in a regular or
24 extraordinary session. The General Assembly shall, to the
25 extent moneys become available, restore moneys used from other
26 sources under this Section.

1 (c) Nothing contained in this Section shall be construed to
2 limit the Governor's authority to apply for, administer and
3 expend grants, gifts or payments in aid of disaster mitigation,
4 preparedness, response or recovery.

5 (Source: P.A. 92-73, eff. 1-1-02; 93-249, eff. 7-22-03.)

6 Section 15. The Emergency Management Assistance Compact
7 Act is amended by adding Section 10 as follows:

8 (45 ILCS 151/10 new)

9 Sec. 10. Reimbursements and expenses. The Illinois
10 Emergency Management Agency as the authorized representative
11 of the State may use the Disaster Response and Recovery Fund to
12 deposit any reimbursements received from a party state and to
13 pay any expenses incurred relating to this Act.

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.